

District Judge Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FAN JIANG,

Plaintiff,

v.

UNITED STATES CITIZENSHIP AND
IMMIGRATION SERVICES, *et al.*,

Defendants.

No. 2:22-cv-1264-MJP

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND ORDER

Noted for Consideration:
January 12, 2023

Plaintiff and Defendants, by and through their counsel of record, pursuant to Federal Rule of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to stay these proceedings for 60 days to allow U.S. Citizenship and Immigration Services (“USCIS”) to review its denial of Plaintiff Jiang’s Form I-539, Application to Extend/Change Nonimmigrant Status, and Form I-765, Application for Employment Authorization.

Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ. P. 1.

1 The parties submit there is good cause to hold this case in abeyance. Plaintiff initially
2 brought this litigation seeking an order to compel USCIS to adjudicate Plaintiff's applications.
3 On December 9, 2022, USCIS denied the applications. In response, Plaintiff filed the First
4 Amended Complaint, Dkt. No. 8, challenging the denial as arbitrary and capricious in violation
5 of, *inter alia*, the Administrative Procedure Act.

6 USCIS is currently reviewing the denial of Plaintiff's applications. Because USCIS requires
7 additional time to undertake the review and further litigation may not be necessary after the review
8 is completed, the parties agree that a 60-day stay of the litigation is appropriate. Therefore, the
9 parties believe good cause exists for a stay in these proceedings to save the parties and this Court
10 from spending unnecessary time and judicial resources on this matter.

11 Accordingly, the parties jointly stipulate and request that the Court stay these proceedings
12 for 60 days. The parties will submit a joint status report on or before March 13, 2023.

13 Dated: January 12, 2023

Respectfully submitted,

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Attorney for Plaintiff

ORDER

The parties having stipulated and agreed, it is hereby so ORDERED. The parties shall file a joint status report on or before March 13, 2023.

DATED this 13th day of January, 2023.



MARSHA J. PECHMAN
United States Senior District Judge